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10/652,139	08/29/2003	William J. Troyer	1880A1	1169
7590 07/19/2011 PPG INDUSTRIES, INC. Intellectual Property Department One PPG Place Pittsburgh, PA 15272			EXAMINER MANSFIELD, THOMAS L	
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte WILLIAM J. TROYER and DAVID RAY BROCIOS

Appeal 2010-004909
Application 10/652,139
Technology Center 3600

Before MURRIEL E. CRAWFORD, ANTON W. FETTING, and
JOSEPH A. FISCHETTI, *Administrative Patent Judges*.

CRAWFORD, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Appellants seek our review under 35 U.S.C. § 134 of the Examiner's final decision rejecting claims 1, 3 to 13, and 15 to 25. We have jurisdiction over the appeal under 35 U.S.C. § 6(b).

We REVERSE.

Claim 1 is illustrative:

1. A method of reporting on the quality of repair work performed on an article comprising the steps of:
 - (a) identifying occurrences of quality problems in repair of an article at a repair facility;
 - (b) creating repair checkpoints in a repair facility;
 - (c) generating estimate data on the estimated cost for repairing the article, the estimate data being transferred to the database, said estimate data includes a repair estimate factor;
 - (d) generating quality data on the occurrences of quality problems of step (a) at each repair checkpoint in a repair facility for an article;
 - (e) electronically transferring the quality data to a computer database;
 - (f) sorting the quality data in the database utilizing said repair estimate factor for producing a report of said quality data which relates to industry indicators; and
 - (g) producing a report of the sorted quality data.

Appellants appeal the following rejections:

1. Claims 1, 3, 4, 7-13, 15, 16, and 18-25 under 35 U.S.C. § 102(b) as anticipated by Li (US 2002/0072808 A1; Jun. 13, 2002).
2. Claims 5, 6, and 17 under 35 U.S.C. § 103(a) as unpatentable over Li in view of Kirkwood (US 2003/0182181 A1; Sep. 25, 2003).

ANALYSIS

Appellants argue that Li does not disclose a method including the step “sorting the quality data in the database utilizing said repair estimate factor for producing a report of said quality data.” We agree.

The Examiner relies on paragraph 40 of Li for disclosing this subject matter.

We find that paragraph 40 of Li discloses that the Li method collects service information regarding a vehicle from a user. The service information is analyzed to determine a pre-diagnosis. We find that Li discloses that this pre-diagnosis can be an indication that routine maintenance is required or that a detailed servicing procedure should be followed. There is no disclosure that any data is sorted, much less a disclosure that quality data is sorted as required by independent claims 1 and 13. Therefore, we will not sustain this rejection.

We will also not sustain the Examiner's rejection under 35 U.S.C. § 103 because the Examiner also relies on Li for teaching the sorting step in making this rejection.

DECISION

We reverse the Examiner's § 102 and § 103 rejections.

ORDER
REVERSED

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